

cial relations between the people of Texas and our sister republic, Mexico, and we are desirous of extending and perpetuating these relations, which are inuring to the benefit of both republics; and

Whereas, We believe that the granting of the request hereby made would tend still further to strengthen the bonds which unite the two countries; and

Whereas, The Hon. C. B. Kilgore has, by the experience of a lifetime spent in the services of this State and our Union, so familiarized himself with the history, laws and polity of both Mexico and this Union as to fit him as a pre-eminent degree for the capable discharge of the exalted duties of Minister from the United States to Mexico; and

Whereas, We believe that his distinguished services in the interests of the principles for which the Democracy so earnestly contends, have given him a claim for recognition upon the national Democracy; and

Whereas, His appointment to the position indicated would be peculiarly gratifying to the Democracy of this State; therefore, be it

Resolved by the Senate, the House concurring, That we do most earnestly and respectfully recommend to the favorable consideration of Grover Cleveland, President-elect, the name of Hon. C. B. Kilgore of Texas for the position of minister to Mexico; be it further

Resolved, That a copy of these resolutions, signed by the President of the Senate and Speaker of the House of Representatives, attested by the secretary of the Senate and the chief clerk of the House of Representatives, be forwarded to President Cleveland and that a copy be sent to each of the United States Senators and members of Congress from Texas.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, Feb. 23, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bill to-wit:

Senate bill No. 151, "An act to amend section 50 of an act entitled an act to organize the courts of civil appeals, to define their jurisdiction and powers, and to prescribe the mode of procedure therein, as enacted by the first called session of the Twenty-

second Legislature, in 1892, and to repeal all laws in conflict therewith," with amendments.

And that the House has concurred in Senate amendments to House bill No. 18.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, Feb. 23, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bill, to-wit:

Senate bill No. 63, "An act to provide for the payment of the salary due the judges of the courts of civil appeals of the State of Texas from September 1, 1892, to March 1, 1893," with amendments.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

IN SENATE.

House bill No. 1, "An act to repeal chapter 100 of the General Laws of Texas, passed by the Twenty-second Legislature, April 11, 1891, entitled an act to protect stockraisers, farmers and horticulturists, providing for the destruction of wolves and other wild animals, to make an appropriation therefor, and to repeal chapter 119, relating to the same subject, approved April 2, 1887, and to provide for a reward for scalps, when ordered by the commissioners court of any county."

Read first time and referred to Committee on Stock and Stockraising.

Substitute House bill No. 175, "An act to establish and organize the county of Barnard."

Read first time and referred to Committee on Counties and County Boundaries.

On motion of Senator Agnew, Senate adjourned till to-morrow morning at 10 o'clock.

THIRTY-NINTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Feb. 24, 1893.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—27.

Agnew,	Jester,
Atlee,	Kearby,
Boren,	Lawhon,
Bowser,	Pressler,
Browning,	Shelburne,
Cranford,	Simpson,
Crowley,	Smith,
Dean,	Steele,
Dickson,	Swayne,
Douglass,	Tips,
Goss,	Whitaker,
Greer,	Woods,
Hutchison,	Yoakum.
Imboden,	

ABSENT—2.

Baldwin,	Lewis.
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EXCUSED—2.

McComb,	McKinney.
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Prayer by the chaplain, Dr. Briggs, as follows:

O Lord, our Father, we praise Thee for all the glories of the present, and all the memories of the past. Especially do we praise Thee for the dear memories so recently recalled to us; memories of the men who fell beneath Southern flags on the hundred battlefields of the civil war. Their hearts were grieved at the division of this great land, yet at the call of their native States, in obedience to what they believed to be as pure an impulse as ever stirred the heart of a patriot, they left their happy homes, plunged into the storm of battle, and made this whole land sacred with traditions of their valor, and help us to see, we pray Thee that he who can now forget them or speak lightly of their memory, not only does not understand the process of a great nation's growth, but is alike unworthy the name and heritage of a freeman. Meanwhile let Thy blessing rest upon this whole land. Heal all its wounds, reconcile all its estranged brethren, and bind its millions of citizens together as one man in the sacred determination that the government of the people, by the people and for the people shall not perish from the earth. We ask for Jesus sake. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Whitaker the reading of the same was suspended.

COMMITTEE REPORTS.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 24, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 199, entitled "An act for the relief of Charles T. Sisson,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

BOREN, Acting Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, Feb. 16, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 71, entitled "An act to amend article 683b of the Penal Code of the State of Texas and to add to said code article 683c as enacted by the Legislature of said State by act entitled an act to amend article 683, chapter 3 title 17, of the Penal Code of the State of Texas, relating to malicious mischief, and providing a penalty therefor by adding thereto article 683b, approved March 22, 1889, and amendatory of said recited act, and to define and punish the offense of willfully and maliciously throwing missiles or firing guns or other firearms at or into moving trains on railroads in this State and to repeal article 683b of said above recited act and all other laws in conflict with this act,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*, with the following amendments:

Strike out of section 1 article 683c, and sections 2 and 3 of the bill, and by striking all between the word "train," in line 4, article 683b, and the words in line 6 of said act.

Amend line 5, page 2, by striking out the word "and," and insert in lieu the word "—," and by substituting the words "five hundred," in line 10, and the words "twenty-four hours" for the words "thirty days," in line 13 of article 683b, and recommend that article 683 be amended by the adoption of section 683, herewith presented.

KEARBY, Chairman.

PETITIONS AND MEMORIALS.

By Senator Hutchison:

Protest from county judge of Blanco county to passage of House bill No. 70.

Read and referred to Judiciary Committee No. 1.

By Senator Lawhon:

Petition from citizens of Goliad and Frio counties for more efficient insurance laws.

Read and referred to Committee on Insurance, Statistics and History.

The following communication was read:

AUSTIN, TEXAS, Feb. 24, 1893.

Lieutenant Governor, M. M. Crane:

DEAR SIR—Please announce to the Senate, that there will be a free concert at the Institution for the Blind to-night at 8:30 p. m., given for the pleasure of the members of the Legislature, and their officers. Their families and their lady friends are also invited to be present.

Yours truly,

FRANK RAINEY,
Superintendent.

BILLS AND RESOLUTIONS.

By Senator Goss:

A bill to be entitled "An act to diminish the civil and criminal jurisdiction of the county courts of Castro and Hartley counties, and to repeal all laws in conflict herewith."

Read first time and referred to Committee on Judicial Districts.

By Senator Tips, by request:

A bill to be entitled "An act authorizing the board of trustees of the public schools of the city of Austin to sell a block in the city of Austin known as the Academy block, and to devote proceeds of the sale for purchasing building sites and erecting buildings thereon for public school purposes."

Read first time and referred to Committee on State Affairs.

By Senator Tips:

A bill to be entitled "An act to validate sales of real estate within this State made by foreign executors of wills probated in any of the States of the United States."

Read first time and referred to Judiciary Committee No. 1.

By Senator Woods:

A bill to be entitled "An act to amend sections 7, 8, 15 of an act entitled an act to redistrict the State into judicial districts and to fix the time for holding court therein, and to provide for the election of judges and district attorneys at the next general election, approved April 9, 1883."

Read first time and referred to Committee on Judicial Districts.

Morning call concluded.

On motion of Senator Hutchison, Senate bill No. 138, entitled "An act to amend articles 2165, 2166, 2167 and 2181, and to add article 2184a to chapter 28 of the Revised Civil Statutes of the State of Texas," was recommitted to Judiciary Committee No. 1.

On motion of Senator Lawhon, regular business was suspended, and

Senate bill No. 90, being "An act to amend article 3183, chapter 4, title 61

of the Revised Civil Statutes of the State of Texas," taken up.

Bill read third time and passed.

SPECIAL ORDER.

The Chair laid before the Senate, Senate bill No. 40, entitled "An act to provide for inquests on fires and prescribe the powers and duties of justices of the peace in relation thereto; to define the duties of the Commissioner of Agriculture, Insurance, Statistics and History in relation thereto; to repeal all existing laws on the subject of fire inquests, and to make an appropriation to carry out the purposes of this act."

Bill read second time and committee substitute lost.

Senator Douglass moved to reconsider the vote by which the committee substitute was lost, and the motion was ordered spread on the journal.

On motion of Senator Kearby further consideration of this bill was postponed until Monday next.

The Chair laid before the Senate, special order,

Senate bill No. 77, entitled "An act to make notes, bonds, contracts and other evidence of debt held by persons without the State of Texas, that are secured by a lien on land within the State, subject to taxation in the State, and providing that they shall be rendered and the taxes paid thereon in the county in which the land is situated, and providing the mode of collecting the same, and prohibiting any agreement whereby the payor of said note, bond, contract or other evidence of debt shall pay said taxes or become liable therefor."

On motion of Senator Crowley, regular business was suspended, and

Senate bill No. 54, entitled "An act to create a bureau of labor and labor statistics for the State of Texas, to properly designate said department and its head, and to prescribe the duties belonging and appertaining thereto," was taken up.

By Senator Cranford:

Amend by striking out in section 7, all after the word "act," in line 10, on page 2, down to and including the word "oath," in line 13, on page 3.

Adopted.

By Senator Yoakum:

Amend by striking out all after the word "dollars," in line 15 of section 7.

Adopted.

By Senator Whitaker:

Amend by striking out section 1.

Lost by the following vote:

YEAS—7.

Agnew,	Steele,
Boren,	Tips,

Browning, Whitaker.
Goss,

NAYS—19.

Atlee, Kearby,
Bowser, Lawhon,
Cranford, Pressler,
Crowley, Shelburne,
Dickson, Simpson,
Douglass, Smith,
Greer, Swayne,
Hutchison, Woods,
Imboden, Yoakum.
Jester,

ABSENT—3.

Baldwin, Lewis.
Dean,

EXCUSED—2.

McComb, McKinney.

By Senator Hutchison:

Amend line 10, in section 7, by striking out the words "as provided in this act," and insert the following words in lieu thereof, "in a judicial proceeding."

Adopted.

By Senator Imboden:

Add to section 7, "provided the provisions of this act shall only apply to corporations, under the laws of this or some other State, doing business in this State."

Adopted.

Senator Agnew moved to postpone further consideration of this bill till the 10th day of April, 1893.

Lost by the following vote:

YEAS—8.

Agnew, Goss,
Atlee, Steele,
Boren, Tips,
Browning, Whitaker.

NAYS—20.

Bowser, Kearby,
Cranford, Lawhon,
Crowley, Lewis,
Dean, Pressler,
Dickson, Shelburne,
Douglass, Simpson,
Greer, Smith,
Hutchison, Swayne,
Imboden, Woods,
Jester, Yoakum.

ABSENT—1.

Baldwin,

EXCUSED—2.

McComb, McKinney,

The bill was then ordered engrossed by the following vote:

YEAS—11.

Bowser, Kearby,
Cranford, Lawhon,
Crowley, Pressler,
Dean, Shelburne,

Dickson, Simpson,
Douglass, Smith,
Greer, Swayne,
Hutchison, Woods,
Imboden, Yoakum.
Jester,

NAYS—9.

Agnew, Lewis,
Atlee, Steele,
Boren, Tips,
Browning, Whitaker.
Goss,

ABSENT—1.

Baldwin.

EXCUSED—2.

McComb, McKinney.

On motion of Senator Pressler, regular business was suspended and

Senate bill No. 130, entitled "An act to fix the fees of district and county attorneys and attorneys ad litem in suits instituted by the State for the recovery of interest due the school fund, or to forfeit school land for non-payment of purchase money, and to provide for the payment thereof," was taken up.

Bill read third time.

By Senator Yoakum:

Amend by adding after the word "appropriated," in line 13, section 1, the following: "Provided, that in cases where suits are filed by one district or county attorney and judgment obtained by his successor in office the fee shall be equally divided between them."

Adopted by the following vote:

YEAS—26.

Agnew, Imboden,
Atlee, Jester,
Boren, Lawhon,
Bowser, Lewis,
Browning, Pressler,
Cranford, Shelburne,
Crowley, Simpson,
Dean, Smith,
Dickson, Steele,
Douglass, Swayne,
Goss, Whitaker,
Greer, Woods,
Hutchison, Yoakum.

NAYS—none.

ABSENT—1.

Baldwin.

EXCUSED—2.

McComb, McKinney.

PRESENT, NOT VOTING—2.

Kearby, Tips.

By Senator Yoakum:

Amend by adding after the word "case," in line 10, section 1, the following: "Or his successor in office."

Adopted by the following vote:

YEAS—25.

Agnew,	Jester,
Atlee,	Kearby,
Boren,	Lawhon,
Bowser,	Lewis,
Browning,	Pressler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Whitaker,
Greer,	Woods,
Hutchison,	Yoakum.

NAYS—none.

ABSENT—4.

Baldwin,	Swayne,
Cranford,	Tips.

EXCUSED—2.

McComb,	McKinney.
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By Senator Kearby:

Amend by striking out the word "heretofore," in section 2, line 1, as amended by second committee amendment.

(Senator Shelburne in the chair.)

While taking the vote Senator Browning stated that he, voting nay, was paired with Senator McComb, voting aye, on all material questions on the bill.

Senator Imboden moved to lay the amendment on the table.

Tabled by the following vote:

YEAS—16.

Bowser,	Imboden,
Cranford,	Lewis,
Crowley,	Pressler,
Dean,	Shelburne,
Dickson,	Smith,
Douglass,	Swayne,
Goss,	Woods,
Greer,	Yoakum.

NAYS—11.

Agnew,	Kearby,
Atlee,	Lawhon,
Boren,	Simpson,
Hutchison,	Steele,
Jester,	Whitaker.

ABSENT—1.

Baldwin.

EXCUSED—1.

McKinney.

PRESENT, NOT VOTING—1.

Tips.

Paired—Senators Browning and McComb. The former would have voted nay; the latter aye.

By Senator Browning:

Amend by striking out the words "have or," in line 3, section 1.

Senator Imboden moved the previous question on the bill and pending amendment, which was duly seconded and prevailed.

The Browning amendment was then lost by the following vote:

YEAS—9.

Agnew,	Lawhon,
Atlee,	Simpson,
Boren,	Steele,
Hutchison,	Whitaker,
Kearby,	

NAYS—16.

Bowser,	Jester,
Cranford,	Lewis,
Crowley,	Pressler,
Dickson,	Shelburne,
Douglass,	Smith,
Goss,	Swayne,
Greer,	Woods,
Imboden,	Yoakum.

ABSENT—1.

Baldwin.

EXCUSED—1.

McKinney.

PRESENT, NOT VOTING—2.

Dean,	Tips.
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Paired—Senators Browning and McComb; the former would have voted nay; the latter, aye.

The bill was then passed by the following vote:

YEAS—16.

Bowser,	Imboden,
Cranford,	Jester,
Crowley,	Lewis,
Dean,	Pressler,
Dickson,	Shelburne,
Douglass,	Swayne,
Goss,	Woods,
Greer,	Yoakum.

NAYS—10.

Agnew,	Lawhon,
Atlee,	Simpson,
Boren,	Smith,
Hutchison,	Steele,
Kearby,	Whitaker.

ABSENT—1.

Baldwin.

EXCUSED—1.

McKinney.

PRESENT, NOT VOTING—1.

Tips.

Paired—Senators Browning and McComb. The former would have voted nay; the latter aye.

(Lieutenant Governor Crane in the chair.)

Senator Greer moved to reconsider the vote passing Senate bill No. 130, and to lay that motion on the table.

Carried by the following vote:

YEAS—14.

Rowser,	Jester,
Crowley,	Pressler,
Dickson,	Shelburne,
Douglass,	Smith,
Goss,	Swayne,
Greer,	Woods,
Imboden,	Yoakum.

NAYS—11.

Agnew,	Lawhon,
Atlee,	Lewis,
Boren,	Simpson,
Dean,	Steele,
Hutchison,	Whitaker.
Kearby,	

ABSENT—1.

Baldwin.

EXCUSED—1.

McKinney.

PRESENT, NOT VOTING—2.

Cranford, Tips.

Paired—Senators Browning and McComb. The former would have voted nay; the latter aye.

On motion of Senator Yoakum, Senator Lewis was excused from attendance on to-morrow on important business.

On motion of Senator Imboden, Senator McComb was excused from attendance on to-day on important business.

On motion of Senator Goss, Senator Baldwin was excused till Monday on important business.

The following special committee report was laid before the Senate:

COMMITTEE ROOM,

AUSTIN, TEXAS, Feb. 23, 1893.

Hon. M. M. Crane, President of the Senate and Hon. J. H. Cochran, Speaker of the House of Representatives:

Your conference committee, to whom was referred the differences between the two Houses on

Substitute Senate bills Nos. 29, 36, 82, 126 and 128, being "Acts to divide the State of Texas into six supreme judicial districts; to provide for and establish a court of civil appeals in each of said districts; to prescribe the time of holding said courts, and to repeal all laws in conflict with the provisions of this act,"

Have had the same under consideration, and we are instructed to report it back to the Senate with the following amendments:

"That the counties of Johnson and Hill be taken out of the Travis county district and added to the Fort Worth district; that the counties of Floyd,

Hale, Lamb and Bailey be taken out of the Fort Worth district and added to the Sixth district; that El Paso and Jeff Davis counties be taken out of the Sixth district and added to the Fort district; that the counties of Anderson and Cherokee be taken out of the First district and added to the Fifth district; that the counties of Hood and Somervell be taken out of the Third district and added to the Sixth district; that the counties of Crockett, Schleicher, Concho, Menard and Sutton be added to the Sixth district,"

And that the bill as thus amended do pass.

Respectfully submitted,

J. D. WOODS,
R. A. GREER,
L. S. LAWHON,
BENJ. WHITAKER,

On the part of the Senate.

TRUIT,
SEBASTIAN,
D. D. DODD,
T. C. WYNN,
PECK,
M. H. GOSSETT,

On the part of the House.

Senator Imboden moved to return the report to the committee for correction.

(The report was made as a conference report—the committee was a joint committee.)

Senator Kearby moved the following as a substitute:

"That the report of the committee, together with the bills on the subject of redistricting the State into supreme judicial districts, be recommitted to said joint committee and to report in accordance with the resolution raising said committee."

Lost by the following vote:

YEAS—10.

Browning,	Kearby,
Cranford,	Pressler,
Crowley,	Smith,
Goss,	Steele,
Hutchison,	Tips

NAYS—15.

Agnew,	Lawhon,
Atlee,	Lewis,
Boren,	Shelburne,
Bowser,	Simpson,
Dickson,	Swayne,
Greer,	Woods.
Imboden,	Yoakum.
Jester,	

ABSENT—1.

Baldwin.

EXCUSED—2.

McComb, McKinney.

PRESENT, NOT VOTING—3.

Dean, Whitaker.
Douglass,

After lengthy discussion, Senator Cranford moved, as a substitute for Senator Imboden's motion, "that the Senate decline to receive the report."

Pending further action, on motion of Senator Smith, the Senate adjourned to 10 a. m. to-morrow.

FORTIETH DAY.

SENATE CHAMBER.

AUSTIN, TEXAS, Feb. 25, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Secretary Kennedy called the roll.

Quorum present, the following Senators answering to their names:

PRESENT—27.

Agnew	Jester,
Atlee,	Kearby,
Boren,	Lawhon,
Bowser,	Pressler,
Browning,	Shelburne,
Cranford,	Simpson,
Crowley,	Smith,
Dean,	Steele,
Dickson,	Swayne,
Douglass,	Tips,
Goss,	Whitaker,
Greer,	Woods,
Hutchison,	Yozkum.
Imboden,	

EXCUSED—4.

Baldwin,	McComb,
Lewis,	McKinney.

Prayer by the chaplain, Dr. Briggs, as follows:

Heavenly Father, we thank Thee for the prosperity that touches all the land. Yet help us to see that if the head and heart of a people be wholly given to material interests, it is time to ask, What shall it profit a man, or a State, or a nation, if it gain the whole world and lose its own soul; lose the virtues and principles that give dignity and value to human existence, and which constitute the only imperishable elements of human civilization? Here may a different class of tests be employed; here may many things be clearly seen that are hidden from the eyes of trade; here may we be led to the tops of the holy hills where, with eyes cleared of world dust, we may get outlooks upon silent

and beautiful places that are like temple gates on the beginnings of infinite sanctuaries. We ask for Jesus sake. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Lawhon, the reading of the same was suspended.

On motion of Senator Steele, General Clerk S. P. Pool and Secretary J. M. Kennedy were excused for non-attendance on last Monday.

On motion of Senator Lawhon, Colonel Irwin, who attends the cloak room, was excused for non-attendance for the last ten days on account of sickness.

On motion of Senator Kearby, W. F. Linn, for non-attendance on last Monday and Tuesday.

On motion of Senator Imboden, Senator McComb was excused for non-attendance on to-day on account of important business.

COMMITTEE REPORTS.

COMMITTEE ROOM,

AUSTIN, TEXAS, Feb. 24, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 224 entitled "An act to amend article 4333, Revised Statutes of the State of Texas, amended March 30, 1881, amended April 1, 1887, and to validate the registration of deeds, conveyances, mortgages, deeds of trust, or other written instruments recorded in San Saba county, from the year 1860 to the year 1876 inclusive, and relating to real estate situated in the county of McCulloch, by adding to said article article 4333a,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that the accompanying committee substitute be adopted in lieu of said Senate bill No. 224, and that said substitute *do pass*.

CRANFORD, Chairman.

COMMITTEE SUBSTITUTE TO SENATE BILL NO. 224.

A bill to be entitled "An act to amend article 4333 of the Revised Statutes of Texas, amended March 30, 1881, amended April 1, 1887, and to validate the registration of deeds, conveyances, mortgages, deeds of trust, or the written instruments relating to real estate, situated in any unorganized county, and recorded prior to March 30, 1881, and recorded in the county to which said unorgan-